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Bob Coleman
Akerman Senterfitt
ATTORNEYS AT LAW

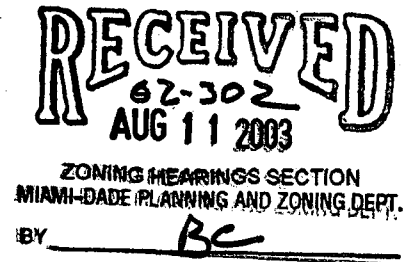
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Leila M. Jackson Batties
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August 11, 2003

VIA HAND DELIVERY

Ms. Diane O'Quinn Williams
Director
Miami-Dade County
Department of Planning & Zoning
111 NW First Street, 11th Floor
Miami, FL 33128



**Re: Avocado Acre Homes Development Corporation (P.H. 02-302)
Amended Letter of Intent**

Dear Ms. O'Quinn Williams:

This amended letter of intent is submitted in connection with the above-referenced zoning application, which was deferred to the September 30th meeting of Community Council 14. In light of the concerns raised at the previous public hearings, we seek to amend the application as follows:

- (1) Change the zoning request from a district boundary change from AU to EU-S to a district boundary change from AU to EU-1.
- (2) Include a request for a variance of street lighting, as required in Sec. 28-15(g) of the Miami-Dade County Code (the "Code").

As it relates to the latter request, Sec. 28-19 of the Code authorizes the Community Council to grant a variance of the street lighting requirement where all three (3) of the conditions exist in regard to the land concerned:

Ms. Diane O'Quinn Williams
August 11, 2003
Page 2

- (1) that there are special circumstances or conditions affecting the property and that the strict application of the provisions of this chapter would deprive the reasonable use of the land;
- (2) that the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
- (3) that the granting of the variance will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated.

All of the foregoing conditions exist for the subject property. The subject property is located on the southeast corner of SW 272 Street and SW 157 Avenue, just inside the urban development boundary. It is different than most areas of Miami-Dade County because the surrounding area is primarily rural in character with low density residential development. Waiving the requirement for street lights is in keeping with the rural character and the quality of life currently enjoyed in the area. Granting a variance of the requirement for street lighting will not be detrimental to the public welfare or injurious to the other property in the area. In fact, many residents in the area believe just the opposite to be true. They object to street lighting because they believe it will adversely affect the rural character and the quality of life currently enjoyed in the area. In this regard, we submit that the strict application of Sec. 28-15(g) would significantly impact the investment backed expectations of the applicant and future homeowners by depriving them of the right to enjoy the rural character and quality of life that is expected in this area of Miami-Dade County.

Based on the foregoing, we respectfully request the Department's favorable consideration of the application, as amended herein. As always, please do not hesitate to contact me if you have any additional questions or concerns.

Very truly yours,



Leila M. Jackson Batties

LMJB/bf

cc: Mr. Raul Pino
Mr. Felix Pollack
Juan J. Mayol, Jr., Esq.
Felix M. Lasarte, Esq.

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LEGAL COUNSEL SEC.

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March 17, 2003

VIA HAND DELIVERY

Nancy Rubin, Esq.
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Department of Planning and Zoning
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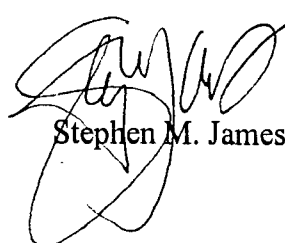
**Re: Avocado Acres Homes Development Corp. / Petition for Appeal of the
Decision of the Community Zoning Appeals Board (P. H. No. Z2002-
0302) / Transmittal of Petition Form and Appeal Fee**

Dear Ms. Rubin:

Enclosed please find an executed Petition for Appeal with regard to the above referenced decision of the Community Zoning Appeals Board for Area 14, which decision was posted on March 3, 2003. In addition, I have also enclosed a check made payable to Miami-Dade County in the amount of \$399.00 to cover the appeal fee.

As always, should you have any questions please feel free to call me.

Sincerely,
AKERMAN SENTERFITT



Stephen M. James

Enclosures

cc: Juan J. Mayol, Jr., Esq.
Felix M. Lasarte, Esq.

{M1908781;1}

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October 7, 2002

VIA HAND DELIVERY

Ms. Diane O'Quinn Williams
Director
Miami-Dade County
Department of Planning & Zoning
111 NW First Street, 11th Floor
Miami, FL 33128

RECEIVED
202-302
OCT 07 2002

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

**Re: Avocados Acres Home Development Corporation / Property Located
at SW 157th Avenue and SW 272nd Street, in Unincorporated Miami-
Dade County, Florida / Application for Zoning Public Hearing /
Letter of Intent**

Dear Ms. O'Quinn Williams:

This shall constitute the letter of intent on behalf of Avocados Acres Home Development Corporation (the "Applicant") in support of its request for a district boundary change on that certain 34.57 acre parcel of land located on the west side of S.W. 157th Avenue and south of S.W. 272nd Street (the "Property"), in unincorporated Miami-Dade County, Florida. The Property is presently zoned Agricultural (AU) and is being used as an avocado grove. The Applicant requests a district boundary change to Estate Suburban (EU-S) in order to develop the Property consistent with the requirements thereof.

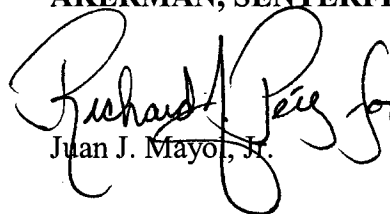
The proposed zoning classification is consistent with the Property's Estate land use designation on the Comprehensive Development Master Plan for Miami-Dade County (the "Master Plan"). In addition to being consistent with its Master Plan designation, the proposed zoning classification is consistent with the land development pattern in the immediate vicinity of the Property. The area immediately to the east and north east of the Property have been zoned and developed within the EU category and property to the south has been zoned EU-S. Moreover, the Property lies on a 157th Avenue, which will provide future homeowners on the Property with ready access to a major section line road.

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Based on the foregoing, the Applicant respectfully requests your favorable consideration of the application.

Respectfully submitted,

AKERMAN, SENTERFITT & EDISON P.A.



Juan J. Mayo, Jr.

Enclosures